IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF NORTH CAROLINA SOUTHERN DIVISION No. 7:20-CV-31-D

CARLOS A. ALFORD,)	
Plaintiff,)	
v.)	ORDER
ZAKARIA MCGREGOR,)	
and, EASTER SEALS UCP.,)	
Defendants.)	

On February 20, 2020, Carlos A. Alford ("Alford" or "plaintiff"), appearing <u>pro se</u>, filed a motion to proceed in forma pauperis under 28 U.S.C. § 1915 [D.E. 1]. On February 24, 2020, the court referred the motion to Magistrate Judge Jones for frivolity review [D.E. 3]. On August 19, 2020, Magistrate Judge Jones issued an Order and Memorandum and Recommendation ("M&R") and recommended that the claims against defendant McGregor be dismissed with prejudice, that the termination claims against defendant Eater Seals be allowed to proceed, and that the failure to accommodate claims against defendant Easter Seals be dismissed without prejudice [D.E. 13]. Alford did not object to the M&R.

"The Federal Magistrates Act requires a district court to make a de novo determination of those portions of the magistrate judge's report or specified proposed findings or recommendations to which objection is made." <u>Diamond v. Colonial Life & Accident Ins. Co.</u>, 416 F.3d 310, 315 (4th Cir. 2005) (emphasis, alteration, and quotation omitted); <u>see</u> 28 U.S.C. § 636(b). Absent a timely objection, "a district court need not conduct a de novo review, but instead must only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation." <u>Diamond</u>, 416 F.3d at 315 (quotation omitted).

The court has reviewed the M&R and the record. The court is satisfied that there is no clear

error on the face of the record. See Diamond, 416 F.3d at 315. Thus, the court adopts the

conclusions in the M&R and dismisses the claims against McGregor with prejudice, dismisses the

failure to accommodate claim against defendant Easter Seals without prejudice, and allows the

termination claims against defendant Easter Seals to proceed.

In sum, the court GRANTS plaintiff's application to proceed in forma pauperis [D.E. 1],

ADOPTS the conclusions in the M&R [D.E. 13], DISMISSES plaintiff's claims against McGregor

with prejudice, DISMISSES plaintiff's failure to accommodate claims against defendant Easter

Seals without prejudice, and ALLOWS plaintiff's termination claims against defendant Easter Seals

to proceed. The clerk is DIRECTED to issue the summons prepared by plaintiff. The U.S. Marshal

is DIRECTED to serve the summons and a copy of the complaint on defendant.

SO ORDERED. This 19 day of October 2020.

IAMES C. DEVER III

United States District Judge